

ECF Case

**PLAINTIFFS' MEMORANDUM OF LAW IN RESPONSE TO
MOTION TO WITHDRAW AS COUNSEL**

The EMI Music Publishing Plaintiffs and EMI Label Plaintiffs hereby submit this response to Duane Morris LLP's July 12, 2012 Motion to Withdraw (Docket No. 312). Plaintiffs take no position with respect to Duane Morris LLP's motion to withdraw as counsel for Defendants, nor with respect to any dispute between Mr. Robertson and Duane Morris LLP. However, Plaintiffs oppose any attempt to use such withdrawal or disagreement as a basis for further delaying the progress of this litigation. The Motion to Withdraw strongly suggests that Mr. Robertson deliberately created the circumstances triggering the dispute. The timing of the dispute between Mr. Robertson and his counsel, much like the timing of MP3tunes' bankruptcy petition, thus appears to be another tactic by Mr. Robertson to further delay final resolution of this action.

DATED: July 19, 2012

Respectfully submitted,

By: /s/ Andrew H. Bart

Andrew H. Bart
Joseph P. Fishman
JENNER & BLOCK LLP
919 Third Avenue
37th Floor
New York, NY 10022
tel. (212) 891-1690
fax (212) 891-1699

-and-

Steven B. Fabrizio
Luke C. Platzer
JENNER & BLOCK LLP
1099 New York Avenue, NW
Suite 900
Washington, DC 20001
tel. (202) 639-6000
fax (202) 639-6066

*Attorneys for Plaintiffs Capitol Records, LLC,
Caroline Records, Inc, EMI Christian Music
Group Inc., Priority Records LLC, Virgin Records
America, Inc.*

By: /s/ Frank P. Scibilia

Frank P. Scibilia

Jacob B. Radcliff

M. Mona Simonian

PRYOR CASHMAN LLP

7 Times Square

New York, New York 10036-6569

Telephone: (212) 421-4100

Facsimile: (212) 326-0806

*Attorneys for the Beechwood Music Corp.,
Colgems-EMI Music Inc., EMI April Music Inc.,
EMI Blackwood Music, EMI Full Feel Music, EMI
Golden Torch Music Corp., EMI Longitude Music,
EMI Virgin Music, Inc., EMI Virgin Songs, Inc.,
EMI Al Gallico Music Corp., EMI Algee Music
Corp., EMI Feist Catalog, Inc., EMI Gold Horizon
Corp., EMI Grove Park Music, Inc. EMI Hastings
Catalog, Inc., EMI Mills Music, Inc., EMI Miller
Catalog, Inc., EMI Robbins Catalog, Inc., EMI U
Catalog, Inc., EMI Unart Catalog, Inc., Jobete
Music Co., Inc., Screen Gems-EMI Music, Inc.,
Stone Agate Music, and Stone Diamond Music*

CERTIFICATE OF SERVICE

I hereby certify that I served by electronic mail a copy of Plaintiffs' Response to the Motion to Withdraw as Counsel on this 19th day of July, 2012 to the following persons:

Gerald H. Davis
Chapter 7 Trustee
P.O. Box 121111
San Diego CA 92112-1111
davisatty@aol.com

Richard C. Norton
Norton Moore & Adams LLP
525 B Street, Suite 1500
San Diego, CA 92101

Christopher Celentino
Foley & Lardner LLP
402 West Broadway, Suite 2100
San Diego, CA 92101
ccelentino@foley.com

Michael Robertson
5960 Cornerstone Court, Suite 100
San Diego, CA 92121
Michael Robertson
michael@michaelrobertson.com

Gregory P. Gulia
Duane Morris LLP
1540 Broadway
New York, NY 10036
(212) 692-1000
GPGulia@duanemorris.com

/s/ Luke C. Platzer
Luke C. Platzer